

vessel, or the port from which she shall have come, shall, on strong grounds, be suspected to be infected with the plague; but the governor shall not, under any pretence, exercise any power or prerogative, by virtue of any law, statute, or custom of England or Great-Britain.

34. That the members of the council, or any three or more of them, when convened, shall constitute a board for the transacting of business; that the governor for the time being shall preside in the council, and be entitled to a vote on all questions in which the council shall be divided in opinion; and in the absence of the governor the first named of the council shall preside, and as such shall also vote in all cases where the other members disagree in their opinion.

35. That in case of refusal, death, resignation, disqualification, or removal out of the state, by any person chosen a member of the council, the members thereof, immediately thereupon, or at their next meeting thereafter, shall elect, by ballot, another person, qualified as aforesaid, in his place, for the residue of the year.

36. That the council shall have power to make the great seal of this state, which shall be kept by the chancellor for the time being, and affixed to all laws, commissions, grants, and other public testimonials, as has been heretofore practised in this state.

37. That no senator, delegate of the assembly, or member of the council, if he shall qualify as such, shall hold or execute any office of profit, or receive the profits of any office exercised by any other person, during the time for which he shall be elected; nor shall any governor be capable of holding any other office of profit in this state while he acts as such, and no person holding a place of profit, or receiving any part of the profits thereof, or receiving the profits or any part of the profits arising on any agency for the supply of cloathing or provisions for the army or navy, or holding any office under the United States, or any of them, or a minister or preacher of the gospel, of any denomination, or any person employed in the regular land service, or marine, of this or the United States, shall have a seat in the general assembly or the council of this state.

38. That every governor, senator, delegate to Congress or assembly, and member of the council, before he acts as such, shall take an oath, "That he will not receive directly or indirectly, at any time, any part of the profits of any office, held by any other person during his acting in his office of  
D "governor,